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| 10/065,001 | 09/09/2002 | Gregory Eskridge | 202704232002 | 5721 |

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EXAMINER

TRIEU, VAN THANH

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 04/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

87

Office Action Summary

Application No.

10/065,001

Applicant(s)

ESKRIDGE, GREGORY

Examiner

Van T Trieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by

Price R-W et al [US 6,052,068].

Regarding claim 1, the claimed radio frequency tag (the RF tags 16, see Figs. 1 and 4, col. 3, lines 14-23); and the antenna (the antenna 44 of the interrogator 12 receives signal information from the RF tags 12, see Figs. 1 and 3, col. 3, lines 19-50, col. 5, lines 36-67 and col. 6, lines 5-32); and the tag reader (the interrogator 12 includes input/output 30, the encryptor circuit 33, the decryptor 42 and processor 31 are adapted to translate information received from the RF tags 16 from antenna 44 to a display unit, see Fig. 1 and 4, col. 4, lines 34-36, col. 5, lines 19-67 and col. 6, lines 1-50).

Regarding claim 2, the claimed tag registration (the RF tag 16 is attached to vehicle license plate 28 of a vehicle and contains vehicle registration information, see Fig. 4, col. 4, lines 45-58).

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Regarding claim 3, the claimed data chip (RF tag 16 includes a processor 64 and a memory 66 for storing information data, see Fig. 4, col. 8, lines 15-57).

Regarding claim 4, all the claimed subject matters are cited in respect to claims 1 and 3 above, wherein the vehicle and driver data information, see col. 2, lines 21-29 and col. 8, lines 15-28).

Regarding claim 5, all the claimed subject matters are cited in respect to claim 4 above, wherein the interrogator 12 having an antenna 44 can be attached to a fixed location, see Fig. 2, col. 4, lines 38-41).

Regarding claim 6, all the claimed subject matters are cited in respect to claim 5 above, wherein the interrogator 12 is installed in a police car 25, see Fig. 2, col. 4, lines 38-40).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Price R-W et al** [US 6,052,068].

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Regarding claim 7, **Price R-W et al** fails to disclose the tag reader is further connected to a laptop system in the patrol vehicle. However, Price R-W et al teaches that the interrogator 12 can cross link the data in the vehicle identify tag 16 to an external database 22, which may reside in a computer hardwire to the interrogator/reader 12 or in a remote location using a GPS communication link 24 for inputting, retrieving, updating and comparing data information of tracked vehicle having RF tag 16, see Figs. 1-3 and 6-8, col. 2, lines 6-20. Therefore, it would have been obvious to one of ordinary skill in the art to recognize that the computer hardwire to the interrogator/reader 12 is preferably a laptop computer because the laptop computer is portable computer, which is small and easily moving between the police vehicles and to the police station or other enforcement office.

Regarding claim 8, all the claimed subject matters are discussed in respect to claim 7 above.

Regarding claim 9, all the claimed subject matters are discussed in respect to claim 8 above.

Regarding claim 10, all the claimed subject matters are discussed in respect to claim 9 above.

3. Claims 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable

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over **Price R-W et al** [US 6,052,068] in view of **Cannon et al** [US 6,408,232].

Regarding claim 11, **Price R-W et al** fails to disclose the fingerprint identification system attached to the laptop. However, according to the discussion of the interrogator/reader 12 connected to a laptop computer in respect to claim 7 above, wherein the laptop computer contains records such as ID, address and vehicle owner traffic violation and criminal record information, see col. 2, lines 23-29. **Cannon et al** suggests that a wireless piconet transceiver 16 is mounted on a vehicle 12 being communicated with a nearby piconet transceiver 34 mounted in an owner's garage, in service center or in another vehicle such as police squad car. The police car includes a RF wireless transceiver 16 connected to a vehicle information exchange module 30 and vehicle (and/or user) database 42 for storing information such as ID, license plate state and number, registration number, a vehicle ID number to identify the vehicle 12, a unique driver ID such as fingerprint match can be appropriately associated with the logged data, see Figs. 1 and 3, col. 3, lines 18-52 and col. 4, lines 44-53. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the database containing fingerprint data of **Cannon et al** for memory storage in the laptop computer of **Price R-W et al** in order to increase efficiency, accuracy and quickly recognizing of a criminal individual being tracked by a police vehicle traveling on a road.

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Regarding claim 12, all the claimed subject matters are discussed between **Price R-W et al** and **Cannon et al** in respect to claim 11 above, wherein the fingerprint can be in a remote database located at computer database server 22, see Fig. 1.

Regarding claim 13, all the claimed subject matters are discussed between **Price R-W et al** and **Cannon et al** in respect to claim 12 above.

Regarding claim 14, all the claimed subject matters are discussed between **Price R-W et al** and **Cannon et al** in respect to claim 13 above.

Regarding claim 15, all the claimed subject matters are discussed between **Price R-W et al** and **Cannon et al** in respect to claims 1, 7 and 11 above.

Regarding claim 16, all the claimed subject matters are discussed between **Price R-W et al** and **Cannon et al** in respect to claims 1, 7 and 11 above.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rai discloses a bi-directional vehicle communication network which vehicles are equipped with an RF electronic tag containing records associated therewith. In

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response to RF signals from a portable interrogator located in a police vehicle, vehicle records may be selectively retrieved from the RF tag. [US 6,222,463]

Chainer et al discloses an electronic event recorder for attachment to a vehicle which can broadcast encrypted signature/fingerprint and data in the event of an accident or traffic violation. [US 6,525,672]

5. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (703) 308-5220. The examiner can normally be reached on Mon-Fri from 7:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Danial Wu** can be reached on (703) 308-6730.

The office facsimile number is (703) 872-9314.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long horizontal flourish extending to the right.

Van Trieu
Primary Examiner
Date: 4/3/03